

ESTTA Tracking number: **ESTTA862272**Filing date: **12/04/2017**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

Petitioner Information

Name	Westlake Longview Corporation		
Entity	Corporation	Citizenship	Delaware
Address	2801 Post Oak Blvd. Suite 600 Houston, TX 77056 UNITED STATES		

Attorney information	George R. Schultz Schultz & Associates, P.C. 5400 LBJ Freeway Suite 1200 Dallas, TX 75240 UNITED STATES Email: rschultz@grspc.com, nmarsh@grspc.com, kneedham@grspc.com, docket@grspc.com Phone: 214-210-5940
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Registration Subject to Cancellation

Registration No.	4739630	Registration date	05/19/2015
Registrant	StonCor Group, Inc. 1000 East Park Avenue Maple Shade, NJ 08052 UNITED STATES		


Goods/Services Subject to Cancellation

Class 001. First Use: 1988/05/24 First Use In Commerce: 1988/05/24 All goods and services in the class are subject to cancellation, namely: Adhesive, namely, a two-component epoxyresin or epoxy polyamine together with a curing agent for securing pavement markers to cementitious or asphalt surfacesor for patching cementitious or asphalt surfaces
Class 002. First Use: 1988/05/24 First Use In Commerce: 1988/05/24 All goods and services in the class are subject to cancellation, namely: Pavement marking and striping materialsin the nature of coatings for marking pavement comprising pigment and one or more of the following: amine, isocyanate, epoxy resin, and epoxy acrylate; pavement marking materials, namely, striping materials in the nature of coatings for marking pavement comprising a mixture having pigment, at least either a two-component polyurea or an epoxy resin, and retroreflective glass beads

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
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Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	630676	Application Date	06/08/1955
Registration Date	07/17/1956	Foreign Priority Date	NONE
Word Mark	EPOLENE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 1955/05/19 First Use In Commerce: 1955/05/19 POLYETHYLENE WAXES AND WAXES MADE FROM POLYETHYLENE		

U.S. Registration No.	794963	Application Date	05/08/1964
Registration Date	08/31/1965	Foreign Priority Date	NONE
Word Mark	EPOLENE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 001. First use: First Use: 1955/05/19 First Use In Commerce: 1955/05/19 SYNTHETIC RESINS AND WAXES		

Attachments	71689126#TMSN.png(bytes) Petition for Cancellation .0412.pdf(340746 bytes)
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Signature	/george r. schultz/
Name	George R. Schultz
Date	12/04/2017

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In the matter of Trademark
Registration No.: 4,739,630**



For the mark:

Registered: May 19, 2015

WESTLAKE LONGVIEW CORPORATION

Petitioner,

v.

CANCELLATION NO. _____

STONCOR GROUP, INC.,

Respondent.

PETITION FOR CANCELLATION

Westlake Longview Corporation (“Petitioner”) believes that it has been and will be damaged by Registration No. 4,739,630 (“Respondent’s Registration”), and therefore petitions to cancel the same pursuant to 15 U.S.C. § 1064, and would respectfully show the Board the following:

I. Parties

1. Petitioner is a Delaware corporation having a principal place of business at 2801 Post Oak Blvd., Suite 600, Houston, Texas 77056.

2. StonCor Group, Inc. (“Respondent”) is a Delaware corporation having a principal place of business at 1000 East Park Ave., Maple Shade, New Jersey 08052. The correspondent of record for Respondent is Charles Quinn at Fox Rothschild LLP, 2000 Market St. Floor 20, Philadelphia, Pennsylvania 19103.

II. Standing

3. Petitioner owns incontestable U.S. Registration No. 630,676 for the mark “EPOLENE” for use in association with “polyethylene waxes and waxes made from polyethylene” in international class 4. The mark was registered on July 17, 1956. The Registration is valid and subsisting. The date of first use cited in the Registration is May 19, 1955. A copy of U.S. Registration No. 630,676 is attached as Exhibit A. A printout from the USPTO’s TSDR database for U.S. Registration No. 630,676 is attached as Exhibit B.

4. Petitioner owns incontestable U.S. Registration No. 794,963 for the mark “EPOLENE” for use in association with “synthetic resins and waxes” in international class 1. The mark was registered on August 31, 1965. The Registration is valid and subsisting. The date of first use cited in the Registration is May 19, 1955. A copy of U.S. Registration No. 794,963 is attached as Exhibit C. A printout from the USPTO’s TSDR database for U.S. Registration No. 794,963 is attached as Exhibit D.

5. U.S. Registration Nos. 630,676 and 794,963 will be referred to collectively as “Petitioner’s Registrations.” The marks shown in Petitioner’s Registrations are collectively referred to as “Petitioner’s Marks.” The goods listed in Petitioner’s Registrations are collectively referred to as “Petitioner’s Goods.”

6. In 2006, Petitioner acquired Petitioner’s Marks from its predecessor-in-interest. Petitioner’s Registrations, along with the goodwill connected with and symbolized thereby, were assigned to Petitioner. The assignment of Petitioner’s Marks was recorded with the U.S. Patent and Trademark Office, and is accessible at Reel 003447 Frame 0968. A copy of this assignment is attached as Exhibit E.

7. Since long before the date of filing of the Respondent's Registration, Petitioner's predecessor-in-interest adopted and used Petitioner's Marks in association with the goods listed in Petitioner's Registrations. Petitioner's predecessor-in-interest continuously sold those goods under Petitioner's Marks since the stated date of first use until Petitioner's Registrations were assigned to Petitioner. Petitioner has continuously used Petitioner's Marks in association with Petitioner's Goods ever since.

8. Petitioner has expended substantial amounts of money, time, and effort in advertising and promoting Petitioner's Marks across the United States. The trade and purchasing public have come to know and recognize Petitioner's Marks and the associated goods as being those of Petitioner. Petitioner's Marks identify Petitioner as a source of Petitioner's Goods and distinguishes those goods from the goods of many others.

9. Petitioner's Marks are inherently distinctive or have acquired secondary meaning. Petitioner's Marks have been used in a way that creates in the minds of the relevant purchasing public an association between Petitioner's Marks and Petitioner's Goods and to such an extent that Petitioner's Marks serve as indicators of a source of origin for Petitioner's Goods.

10. By virtue of the excellent quality of Petitioner's Goods, Petitioner has become well known and has acquired extensive goodwill and an excellent reputation in the marketplace. Petitioner's Marks are symbolic of the goodwill and reputation of Petitioner and so are of great and increasing value.

11. On information and belief, Respondent is the owner of a federal registration on the Principal Register of the United States Patent and Trademark Office for the mark "EPOPLEX" and design ("Respondent's Mark"), Registration No. 4,739,630, in class 1 for "adhesive, namely, a two-component epoxy resin or epoxy polyamine together with a curing

agent for securing pavement markers to cementitious or asphalt surfaces or for patching cementitious or asphalt surfaces” and in class 2 for “pavement marking and striping materials in the nature of coatings for marking pavement comprising pigment and one or more of the following: amine, isocyanate, epoxy resin, and epoxy acrylate; pavement marking materials, namely, striping materials in the nature of coatings for marking pavement comprising a mixture having pigment, at least either a two-component polyurea or an epoxy resin, and retroreflective glass beads” (“Respondent’s Goods”). Respondent’s Registration was issued on May 19, 2015. The date of first use and the date of first use in commerce set out in Respondent’s Registration is May 24, 1988.

12. Respondent’s Goods are highly related to and overlap Petitioner’s Goods. On information and belief, Respondent’s Goods contain ingredients similar or identical to Petitioner’s Goods that are and are intended to be sold to similar consumers under similar or identical advertising in the same or similar channels of trade.

13. Petitioner’s Marks and Respondent’s Mark are substantially similar, both visually and phonetically, and create the same or similar commercial impressions.

III. Grounds

Likelihood of Confusion Under 15 U.S.C. § 1052(d)

14. Under § 2(d) of the Act, 15 U.S.C. § 1052(d), Respondent’s Mark so resembles one or both of Petitioner’s Marks, previously used in the United States and registered with the USPTO and not abandoned, as to be likely, when used on or in connection with Respondent’s Goods, to cause confusion, to cause mistake or to deceive.

15. Respondent’s Mark is confusingly similar to one or more of Petitioner’s Marks because the marks are similar in sight, sound, and appearance. The similarity in sight, sound,

and appearance creates a similar or identical commercial impression to the relevant purchasing public.

16. Respondent's Goods are similar to and overlap Petitioner's Goods at least to the extent that both are directed toward chemicals used as adhesives and additives in pavement materials.

IV. Damage

17. Petitioner has superior and incontestable rights in Petitioner's Marks as compared to Respondent since Petitioner's Marks have been used in commerce continuously and prior to any date claimed by or available to Respondent. Consequently, confusion, mistake, or deception in the trade and in the minds of the consuming public, between Petitioner and Respondent as to source of the origin for either Petitioner's Goods or Respondent's goods, is likely to occur with resulting damage to Petitioner.

V. Fees

18. Pursuant to 37 C.F.R. § 2.6(a)(16), the required fee of eight hundred dollars (\$800.00) has been electronically paid in conjunction with the electronic filing of this Petition for Cancellation.

19. The Board is authorized to charge additional required amounts or issue any credits for overpayments to Deposit Account No. 50-2225.

WHEREFORE, Petitioner prays that Registration No. 4,739,630 be canceled and that this Petition be sustained.

Dated: December 4, 2017.

Respectfully submitted,



George R. Schultz
Texas Bar No. 17837500
rschultz@grspc.com
Nicole R. Marsh
Texas Bar No. 24044653
nmarsh@grspc.com

SCHULTZ & ASSOCIATES, P.C.
5400 LBJ Freeway
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Dallas, Texas 75240
(214) 210-5940 telephone
(214) 210-5941 facsimile

ATTORNEYS FOR PETITIONER
WESTLAKE LONGVIEW
CORPORATION

Exhibit A

Int. Cl.: 4

Prior U.S. Cl.: 6

United States Patent and Trademark Office

Reg. No. 630,676

Registered July 17, 1956

10 Year Renewal

Renewal Term Begins July 17, 1996

TRADEMARK
PRINCIPAL REGISTER

EPOLENE

EASTMAN CHEMICAL COMPANY
(DELAWARE CORPORATION)
100 NORTH EASTMAN ROAD
P. O. BOX 511
KINGSPORT, TN 37660, ASSIGNEE OF
EASTMAN KODAK COMPANY (NEW
JERSEY CORPORATION) ROCHESTER, NY

FOR: POLYETHYLENE WAXES AND
WAXES MADE FROM POLYETHYLENE, IN CLASS 6 (INT. CL. 4).

FIRST USE 5-19-1955; IN COMMERCE
5-19-1955.

SER. NO. 71-689,126, FILED 6-8-1955.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Oct. 29, 1996.*

COMMISSIONER OF PATENTS AND TRADEMARKS

United States Patent Office

630,676
Registered July 17, 1956

PRINCIPAL REGISTER Trademark

Ser. No. 689,126, filed June 8, 1955

EPOLENE

Eastman Kodak Company (New Jersey corporation)
343 State St.
Rochester, N. Y.

For: POLYETHYLENE WAXES AND WAXES
MADE FROM POLYETHYLENE, in CLASS 6.
First use May 19, 1955; in commerce May 19, 1955.

COMB. AFF. SEC. 8 & 15

AUG 17 1961

Exhibit B

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Mark: EPOLENE

EPOLENE

US Serial Number: 71689126

Application Filing Date: Jun. 08, 1955

US Registration Number: 630676

Registration Date: Jul. 17, 1956

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: May 23, 2016

Mark Information

Mark Literal Elements: EPOLENE

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) / LETTER(S) / NUMBER(S) INSTYLIZED FORM

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: POLYETHYLENE WAXES AND WAXES MADE FROM POLYETHYLENE

International Class(es): 004

U.S Class(es): 006 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: May 19, 1955

Use in Commerce: May 19, 1955

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: WESTLAKE LONGVIEW CORPORATION

Owner Address: 2801 POST OAK BLVD.
SUITE 600
HOUSTON, TEXAS 77056
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Linda K. Russell
Attorney Primary Email Address: lrussell@westlake.com
Docket Number: 89955.0206
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Linda K. Russell
Legal Dept., Westlake Longview Corporation
2801 Post Oak Blvd., Suite 600
Houston, TEXAS 77056
UNITED STATES
Phone: 713-585-2542
Fax: 713-629-6239
Correspondent e-mail: lrussell@westlake.com egregory@westlake.com nwaller@westlake.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Aug. 31, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 23, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 23, 2016	REGISTERED AND RENEWED (FOURTH RENEWAL - 10 YRS)	67723
May 23, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
May 23, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Mar. 09, 2016	TEAS SECTION 8 & 9 RECEIVED	
Jul. 21, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 21, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 17, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Aug. 28, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 28, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jan. 23, 2009	CASE FILE IN TICRS	
Jul. 30, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 20, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 10, 2006	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	60234
May 10, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 02, 2006	ASSIGNED TO PARALEGAL	60234
Jan. 17, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 17, 2006	TEAS SECTION 8 & 9 RECEIVED	
Apr. 08, 2002	PAPER RECEIVED	
Sep. 19, 1996	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Jul. 10, 1996	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Jul. 17, 1976	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Jul. 17, 2016

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: GENERIC WEB UPDATE
Date in Location: May 23, 2016

Exhibit C

United States Patent Office

794,963
Registered Aug. 31, 1965

PRINCIPAL REGISTER Trademark

Ser. No. 193,003, filed May 8, 1964

EPOLENE

Eastman Kodak Company (New Jersey corporation)
343 State St.
Rochester, N.Y.

For: SYNTHETIC RESINS AND WAXES, in
CLASS 1.
First use May 19, 1955; incommerce May 19, 1955.
Owner of Reg. No. 630,676.

Exhibit D

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Mark: EPOLENE

US Serial Number: 72193003

Application Filing Date: May 08, 1964

US Registration Number: 794963

Registration Date: Aug. 31, 1965

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jul. 20, 2015

Mark Information

Mark Literal Elements: EPOLENE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 0630676

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: SYNTHETIC RESINS AND WAXES

International Class(es): 001 - Primary Class

U.S Class(es): 001

Class Status: ACTIVE

Basis: 1(a)

First Use: May 19, 1955

Use in Commerce: May 19, 1955

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: WESTLAKE LONGVIEW CORPORATION

Owner Address: 2801 POST OAK BLVD.
HOUSTON, TEXAS 77056
UNITED STATES

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Linda K. Russell

Docket Number: 89955.0207

Attorney Primary lrussell@westlake.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Linda K. Russell
Name/Address: Legal Dept., Westlake Longview Corporation
2801 Post Oak Blvd., Suite 600
Houston, TEXAS 77056
UNITED STATES

Phone: 713-585-2542

Fax: 713-629-6239

Correspondent e-mail: lrussell@westlake.com egregory@westlake.com nwaller@westlake.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 31, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 20, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jul. 20, 2015	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	67723
Jul. 20, 2015	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
Jul. 09, 2015	TEAS SECTION 8 & 9 RECEIVED	
Jul. 09, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 11, 2015	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Mar. 11, 2015	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Aug. 28, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Aug. 28, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 30, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 20, 2006	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 15, 2005	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Mar. 15, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 05, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 05, 2005	TEAS SECTION 8 & 9 RECEIVED	
Apr. 08, 2002	PAPER RECEIVED	
Aug. 31, 1985	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	
Jul. 18, 1985	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 31, 2015

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 20, 2015

Exhibit E

TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Eastman Chemical Company		11/30/2006	CORPORATION: DELAWARE

RECEIVING PARTY DATA

Name:	Westlake Longview Corporation
Street Address:	2801 Post Oak Blvd.
Internal Address:	Suite 600
City:	Houston
State/Country:	TEXAS
Postal Code:	77056
Entity Type:	CORPORATION:

PROPERTY NUMBERS Total: 9

Property Type	Number	Word Mark
Serial Number:	78350399	DOOLOOP
Registration Number:	0630676	EPOLENE
Registration Number:	0794963	EPOLENE
Registration Number:	2434458	MXSTEN
Registration Number:	2460082	MXSITE
Registration Number:	2500716	ENERGX
Registration Number:	1926998	EBAC
Registration Number:	1763877	EMAC
Registration Number:	2949755	DCX

CORRESPONDENCE DATA

Fax Number: (423)229-4137

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 423-229-5515

TRADEMARK

REEL: 003447 FRAME: 0968

900065134

CH \$240.00 78350399

Email: etwomey@eastman.com
Correspondent Name: Elizabeth Twomey
Address Line 1: 100 North Eastman Road
Address Line 4: Kingsport, TENNESSEE 37660

ATTORNEY DOCKET NUMBER:	PROJECT EVERGREEN
-------------------------	-------------------

NAME OF SUBMITTER:	Elizabeth Twomey
--------------------	------------------

Signature:	/etwomey/
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Date:	12/20/2006
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Total Attachments: 4
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TRADEMARK ASSIGNMENT

WHEREAS Eastman Chemical Company, a Delaware corporation (the "Assignor"), with an address of 200 South Wilcox Drive, Kingsport, Tennessee 37660, is the owner of the right, title and interest in and to the trademark applications and registrations listed on the attached Schedule A;

WHEREAS Westlake Longview Corporation, a Delaware corporation (the "Assignee"), with an address of 2801 Post Oak Blvd, Suite 600, Houston, TX 77056, is desirous of acquiring the Schedule A trademarks (hereinafter "Trademarks");

WHEREAS the Assignor has agreed to assign rights to the Trademarks to the Assignee as set forth in this Trademark Assignment, and the Assignee hereby accepts said assignment;

NOW THEREFORE for good and valuable consideration, the receipt of which is hereby acknowledged, the Assignor hereby assigns to the Assignee full rights and title to the Trademarks together with the goodwill of the business connected with and symbolized by the said Trademarks, to be held and enjoyed by Assignee for its own use and enjoyment and the use and enjoyment of its successors, assigns or other legal representatives, the same as would have been held and enjoyed by Assignor if this assignment and sale had not been made; rights as Assignee include the entire right, title and interest therein and in and to all income, royalties, damages and payments now or hereafter due or payable with respect thereto in and to all causes of action (either in law or in equity) and the right to sue, counterclaim, and recover for past, present and future infringement of the rights assigned under this Assignment.

AGREED AND ACCEPTED:

EASTMAN CHEMICAL COMPANY

WESTLAKE LONGVIEW
CORPORATION

By: 

By: _____

Name: Prentice McKibben

Name: _____

Title: Vice President Corporate Development
and Strategic Planning

Title: _____

Date: 11-30-2006

Date: _____

TRADEMARK ASSIGNMENT

WHEREAS Eastman Chemical Company, a Delaware corporation (the "Assignor"), with an address of 200 South Wilcox Drive, Kingsport, Tennessee 37660, is the owner of the right, title and interest in and to the trademark applications and registrations listed on the attached Schedule A;

WHEREAS Westlake Longview Corporation, a Delaware corporation (the "Assignee"), with an address of 2801 Post Oak Blvd, Suite 600, Houston, TX 77056, is desirous of acquiring the Schedule A trademarks (hereinafter "Trademarks");

WHEREAS the Assignor has agreed to assign rights to the Trademarks to the Assignee as set forth in this Trademark Assignment, and the Assignee hereby accepts said assignment;


NOW THEREFORE for good and valuable consideration, the receipt of which is hereby acknowledged, the Assignor hereby assigns to the Assignee full rights and title to the Trademarks together with the goodwill of the business connected with and symbolized by the said Trademarks, to be held and enjoyed by Assignee for its own use and enjoyment and the use and enjoyment of its successors, assigns or other legal representatives, the same as would have been held and enjoyed by Assignor if this assignment and sale had not been made; rights as Assignee include the entire right, title and interest therein and in and to all income, royalties, damages and payments now or hereafter due or payable with respect thereto in and to all causes of action (either in law or in equity) and the right to sue, counterclaim, and recover for past, present and future infringement of the rights assigned under this Assignment.

AGREED AND ACCEPTED:

EASTMAN CHEMICAL COMPANY

**WESTLAKE LONGVIEW
CORPORATION**

By: _____

By:  _____ *over*

Name: _____

Name: Jeff Taylor

Title: _____

Title: Vice President

Date: _____

Date: 11-30-2006

Schedule A to Trademark Assignment

<u>Mark Name</u>	<u>Country</u>	<u>Current Appl. No</u>	<u>Current Reg. No</u>
DCX	France	00/3030640	00/3030640
DCX	Great Britain	2234241	2234241
DCX	Taiwan	(89)035572	155074
DCX	United States	78/180412	2,949,755
DCX	South Korea	22402/2002	95205
DCX	Community Trademark	2915262	2915262
DCX	China P.R.	3360103	3360103
DCX	Brazil	825057760	
DOOLOOP	United States	78/350399	
EBAC	United States	74/460331	1926998
EBAC	South Korea	3605/2001	533801
EMAC	United States	74/214153	1763877
EMAC	South Korea	3606/2001	533802
ENERGX	United States	75/609326	2500716
ENERGX	Brazil	825057752	
ENERGX	China P.R.	3360102	3360102
ENERGX	Community Trademark	2916419	2916419
ENERGX	South Korea	22401/2002	95204
EPOLENE	Mexico	152106	447236
EPOLENE	China P.R.	95033126	1028029
EPOLENE	United States	71/689126	630676
EPOLENE	United States	72/193003	794963
EPOLENE	Australia		A192151
EPOLENE	Canada	301545	157730
EPOLENE	Finland	T195602442	31858
EPOLENE	France	230247	1630997
EPOLENE	Great Britain		747243
EPOLENE	Greece	21693	21693
EPOLENE	Austria	2R189707	2R189707
EPOLENE	Benelux	2R189707	2R189707
EPOLENE	Switzerland	2R189707	2R189707
EPOLENE	Serbia-Montenegro	2R189707	2R189707
EPOLENE	Czech Republic	2R189707	2R189707
EPOLENE	Germany	2R189707	2R189707
EPOLENE	Spain	2R189707	2R189707
EPOLENE	Hungary	2R189707	2R189707
EPOLENE	International	2R189707	2R189707
EPOLENE	Italy	2R189707	2R189707
EPOLENE	Liechtenstein	2R189707	2R189707
EPOLENE	Morocco	2R189707	2R189707
EPOLENE	Portugal	2R189707	2R189707
EPOLENE	Romania	2R189707	2R189707

<u>Mark Name</u>	<u>Country</u>	<u>Current Appl. No</u>	<u>Current Reg. No</u>
EPOLENE	San Marino	2R189707	2R189707
EPOLENE	Vietnam	2R189707	2R189707
EPOLENE	Japan	209888/1990	554466
EPOLENE	Japan	214282/1990	558830
EPOLENE	Norway	60557	49810
EPOLENE	O.A.P.I	65482	29062
EPOLENE	Venezuela	1754	53176
EPOLENE	Venezuela	3873	61287
EPOLENE	South Africa		065/5170
EPOLENE	South Africa		065/5171
EPOLENE	Argentina	2136837	1694746
EPOLENE	Mexico		425248
EPOLENE	China P.R.	96004362	1032360
EPOLENE	Serbia-Montenegro	2R189707	2R189707
EPOLENE	Sweden	97-4883	330896
EPOLENE	Denmark	2611/1997	2030/1998
EPOLENE	Mexico	327550	577637
EPOLENE	Madagascar	65482	00420MV
EPOLENE	Brazil	825346916	
EPOLENE	Brazil	825346894	
MXSITE	United States	75/558863	2460082
MXSTEN	United States	75/342809	2,434,458
MXSTEN	Canada	1,048,756	555 540
MXSTEN	Mexico		671841